

# CONVICTION AND SENTENCING ORDER

VIRGINIA: IN THE CIRCUIT COURT OF STAFFORD COUNTY

FEDERAL INFORMATION PROCESSING  
STANDARDS CODE: 179

Hearing Date: February 23, 2005

Judge: J. Peyton Farmer

COMMONWEALTH OF VIRGINIA

Bryan Taylor, DEFENDANT

This case came before the Court for sentencing of the defendant, who appeared in person with his attorney, Vincent Ventura. The Commonwealth was represented by George Elsasser.

Thereupon, the defendant, by counsel, moved the Court to dismiss the indictment for felony DWI on grounds of speedy trial violation and such motion was denied for reasons as stated to the record, and the exception of counsel is noted.

Upon motion of the attorney for the Commonwealth, such motion being granted, it is ordered that the indictment charging felony DWI is hereby amended to reflect a misdemeanor offense of driving while intoxicated, a second such offense within 5 years and that the indictment charging driving revoked is hereby nolle prossed.

Whereupon, the defendant was arraigned as charged in the indictment(s) and the Court having been advised by the defendant, his counsel, and the Attorney for the Commonwealth that there has been an oral plea agreement reached in this case and such agreement being presented to the Court, and upon the evidence of the attorney for the Commonwealth, the Court accepts said agreement and the plea(s) of guilty of the defendant tendered in person and finds the defendant guilty of the following offense(s):

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	VA. CODE SECTION
CR04-492-00	DWI 2/5 (M)	12-5-03	18.2-266

Before pronouncing the sentence, the Court inquired if the defendant desired to make a statement and if the defendant desired to advance any reason why judgment should not be pronounced.

The Court SENTENCES the defendant in accordance with the aforementioned plea agreement to:

Incarceration in the Department of Corrections for the term of: 12 months.

1 def  
1 alter  
1 jail  
1 DWI  
1 DOL

2/24/05  
DCC

A fine of \$500.00 is imposed.

These sentences shall run consecutive with all other sentences.

The Court **SUSPENDS** all but 5 days of the 12 month sentence upon the following condition(s):

**Good behavior.** The defendant shall be of good behavior for 3 years from the defendants release from confinement.

The defendant shall suffer a loss of his operators license for a period of 3 years from this date.

**Costs.** The defendant shall pay costs of \$832.00, which includes the \$500.00 fine plus any additional fees as may be required under section 17.1-275.5 of the code of Virginia. Such costs shall be paid in full within 30 days of his release from incarceration on this charge.

**Credit for time served.** The defendant shall be given credit for time spent in confinement while awaiting trial pursuant to Code Section 53.1-187.

February 23, 2005  
DATE

ENTER:

  
JUDGE DESIGNATE

**DEFENDANT IDENTIFICATION:**

SSN: [REDACTED] 5155

DOB: 4-7-74

Sex: MALE

**SENTENCING SUMMARY:**

TOTAL SENTENCE IMPOSED: 12 MONTHS

TOTAL SENTENCE SUSPENDED: ALL BUT 5 DAYS

TOTAL ACTIVE TIME TO SERVE: 5 DAYS